

The City Council of the City of Seabrook met in regular session on Tuesday, August 16, 2016 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE – Ex. Abs.	COUNCIL PLACE NO. 1
MIKE GIANGROSSO – Ex. Abs.	COUNCIL PLACE NO. 2
GARY JOHNSON – Ex. Abs.	COUNCIL PLACE NO. 3
MELISSA BOTKIN	COUNCIL PLACE NO. 4
GLENNA ADOVASIO	COUNCIL PLACE NO. 5
O.J. MILLER	MAYOR PRO TEM & COUNCIL PLACE NO. 6
GAYLE COOK	CITY MANAGER
SEAN LANDIS	DEPUTY CITY MANAGER
STEVE WEATHERED	CITY ATTORNEY
ROBIN HICKS	CITY SECRETARY

Mayor Royal called the meeting to order at 7:00 p.m. and led the audience in the United States and Texas Pledge of Allegiance.

1. PRESENTATIONS

1.1. Oath of Office

Introduce new police officer Cynthia Jimenez and administer oath of office. (Wright / Hicks)

Chief Wright announced that it is a proud day for the Seabrook Police Department to introduce new officer, Cynthia Jimenez, who has been with the Department for about three weeks. Officer Jimenez has a bachelor's degree from the University of Houston in Criminal Justice and has achieved her TCLEOSE certification. On Sunday morning, the Chief received a phone call from a person who has complained in the past on officers, but this day he called to say what a fine officer Seabrook hired and he gave compliments to her training officer, Jambrik. Cynthia understands the value of the job and how to treat people right!

Chief Wright issued Officer Jimenez her badge, and she took her oath of office. Officer Jimenez spoke to the audience and thanked the Police Department staff, especially her training Officer, Jambrik, and thanked her family for being very supportive. Cynthia looks forward to many years with the Seabrook Police Department.

46 **2. PUBLIC COMMENTS AND ANNOUNCEMENTS - None**

47 *At this time we would like to listen to any member of the audience on any subject matter,*
48 *whether or not that item is on the agenda. All comments are limited to a maximum of four*
49 *minutes for each speaker, shall be limited to city business or city-related business or matters of*
50 *general public interest, and shall not include any personal attacks. In accordance with the*
51 *Open Meetings Act, members may not discuss or take action on any item that has not been*
52 *posted on the agenda. When your name is called, please come to the podium and state your*
53 *name and address clearly into the microphone before making your comments. Thank you.*
54

55 **2.1. Mayor, City Council and/or members of the city staff may make announcements**
56 **about city/community events. (Council)**
57

58 Councilmember Adovasio announced several upcoming events, including the TXDOT Highway
59 146 relocation workshop; the Last Day of Summer at pool party; the SUMC Back to School
60 Bash; the CCISD Back to School event; the 2016 Seabrook Kids' Fish; and the Seabrook
61 Saltwater Derby, which is a 2 day event. City offices will be closed on Monday, September 5,
62 for the Labor Day holiday.
63

64 **3. SPECIFIC PUBLIC HEARINGS**
65

66 **3.1. Specific Public Hearing - Ordinance 2016-18 - Rezone**

67 **Hold a public hearing on proposed Ordinance 2016-18, "Amendment to the Official Zoning**
68 **Map to Rezone approximately 4.69 acres east of Bayport Boulevard and west of Old**
69 **Highway 146 from C-2 (Medium Commercial) to LI (Light Industrial). (Landis)**
70

71 **AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF**
72 **SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES,**
73 **APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION",**
74 **SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING 4.69 ACRES OF**
75 **RESERVE A, BLOCK 1, BAYPORT LOGISTICS CENTER PHASE 2, ABSTRACT 52**
76 **OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS, AS MORE**
77 **PARTICULARLY DESCRIBED IN ATTACHMENT A, FROM C-2 MEDIUM**
78 **COMMERCIAL DISTRICT TO LI, LIGHT INDUSTRIAL DISTRICT; REQUIRING**
79 **THAT THE ZONING MAP BE AMENDED TO REFLECT THIS AMENDMENT;**
80 **MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH TRACT;**
81 **PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000 FOR**
82 **VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE;**
83 **REPEALING ALL ORDINANCES INCONSISTENT OR IN CONFLICT HERewith,**
84 **AND PROVIDING FOR SEVERABILITY.**
85

86 Mayor Royal opened the public hearing.
87
88
89

90 Sean Landis, Deputy City Manager, gave a combined presentation for both items 3.1 and 3.2.
91 He stated that this request is for a rezone of approximately 7 acres total from C-2 (Medium
92 Commercial) to LI (Light Industrial), located south of the existing Gulf Winds facility inside the
93 City limits to the far north. Gulf Winds would like to expand their existing facilities operations,
94 in two (2) phases, with an extension of the parking lot to the south of the existing warehouse and
95 then in the near future there will be a need for an additional warehouse on the same location.
96 Currently, there is no timetable or design for the new warehouse. The surrounding properties
97 zoning include C-2 to the south, and LI to the north, east and west. On July 21, at their regular
98 meeting, the Planning & Zoning Commission, with Commissioner Davis absent, voted 6-0 in
99 favor of this project, recommending approval.

100
101 Applicant, Bill Friedrichs, with WMF Investments, explained that in late 2014, Gulf Winds
102 purchased 12 acres, thinking they had enough property for their facility operations. The nearby
103 gas station opened in March, 2009. WMF has had no commercial businesses interested in the
104 property. The proposal is to erect a 10 foot sound barrier/decorative fence between the existing
105 hotel and the proposed parking lot. The City's current property tax revenue on this portion, at its
106 current use, is about \$5,000. If this rezoning is approved, the City's new tax revenue, on the land
107 only, will be about \$35,000.

108
109 In response to questions from Council regarding formerly not being interested in a rezone, the
110 change in the value of the hotel, the value of the property as C-2, Mr. Friedrichs remarked that
111 WMF Investments' research indicates there is no interest in commercial businesses locating or
112 relocating to this far north property. In addition, there seems to be plenty of other locations for
113 commercial businesses including Retail at the Commons, the Traffic Circle, and spaces along
114 NASA Rd. 1.

115
116 Mr. Todd Stewart, owner and president of Gulf Winds International, spoke and explained that
117 Gulf Winds is one of the larger transportation businesses in this area. With Port of Houston
118 numbers growing, Gulf Winds is continuing to have a need to expand. This rezone is an
119 opportunity to make the expansion happen, to be more efficient internally, and to be more
120 competitive in the market. The need is there to maximize the current footprint so that all
121 containers can be handled on Gulf Winds property, rather than continuing to lease additional
122 property from the Port of Houston. The City will benefit from having all containers onsite, as the
123 personal property taxable value will increase. In addition, the expansion of the Gulf Winds
124 business will require the employment of more drivers who will buy gas, buy food, sleep in hotel
125 rooms. Gulf Winds is a family owned business that continually works to reinvest in the
126 community and be a good community partner.

127
128 Gulf Winds does not have a timeline or design for a second warehouse at this time because the
129 economy cannot be predicted, and the immediate need is for the parking lot, which will increase
130 the City's personal property tax base in the short run.

Discussion ensued among Council members regarding citizen complaints about damaged trucks and u-turns on Old Highway 146; the creation of PUDs due to Gulf Winds not follow through with plans approved by Council in the past; traffic control/lane management; no date or design for a second warehouse; uses in LI including sexually oriented businesses; current warehouse capacity; the aesthetics of having a parking lot seen as people are coming into the City; and if a second warehouse was built, at where would the needed parking lot be located.

Steve Weathered, City Attorney, reminded Council that the request is for a zoning change, and Council cannot place any land use restrictions on this property along with the zoning change.

Having no other speakers come forward, the Mayor closed the public hearing.

3.2. Specific Public Hearing - Ordinance 2016-19 - Rezone

Hold a public hearing on proposed Ordinance 2016-19, "Amendment to the Official Zoning Map to Rezone approximately 2,500 acres east of Bayport Boulevard and west of Old Highway 146 from C-2 (Medium Commercial) to LI (Light Industrial). (Landis)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SEABROOK WHICH IS PART OF THE SEABROOK CITY CODE OF ORDINANCES, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING 2,500 ACRES OF TRACT 6J-1, ABSTRACT 52 OF THE RITSON MORRIS SURVEY, HARRIS COUNTY, TEXAS, AS MORE PARTICULARLY DESCRIBED IN ATTACHMENT A, FROM C-2 MEDIUM COMMERCIAL DISTRICT TO LI, LIGHT INDUSTRIAL DISTRICT; REQUIRING THAT THE ZONING MAP BE AMENDED TO REFLECT THIS AMENDMENT; MAKING SPECIFIC FINDINGS RELATING TO REZONING OF SUCH TRACT; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH, AND PROVIDING FOR SEVERABILITY.

Mayor opened the public hearing.

Having no speakers come forward, the Mayor closed the public hearing.

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179 **4. CONSENT AGENDA**

180 *Council will discuss, consider and if appropriate, take action on the items listed below.*

181
182 **4.1. Ordinance 2016-20 Public Safety Fleet Replacement**

183 Approve on second reading proposed Ordinance 2016-20, "Establishing a Public Safety
184 Vehicle/Equipment Replacement Fund. (Lab)

185
186 **AN ORDINANCE ESTABLISHING A PUBLIC SAFETY VEHICLE/EQUIPMENT**
187 **REPLACEMENT FUND; ESTABLISHING CRITERIA AND SCHEDULES FOR THE**
188 **REPLACEMENT OF VEHICLES AND EQUIPMENT IN THE CITY OF SEABROOK**
189 **PUBLIC SAFETY FLEET; ESTABLISHING GUIDELINES FOR THE**
190 **ADMINISTRATION OF THE FUND; REPEALING ALL ORDINANCES OR PARTS OF**
191 **ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING**
192 **FOR SEVERABILITY.**

193
194 **4.2. Ordinance 2016-21 Nunc Pro Tunc Correction**

195 Approve on second reading proposed Ordinance 2016-21, "Amending Nunc Pro Tunc The
196 Noise Regulations Ordinance". (Hicks)

197
198 **AN ORDINANCE AMENDING ORDINANCE 2012-16 NUNC PRO TUNC, TO**
199 **CORRECT SCRIVNER'S ERROR BY AMENDING CHAPTER 55 OF THE CODE OF**
200 **ORDINANCES OF THE CITY OF SEABROOK, ENTITLED "NUISANCES AND**
201 **MISCELLANEOUS PROVISIONS," ARTICLE II, ENTITLED "NOISE," BY**
202 **REVISING REFERENCES IN SECTION 55-26, "ENFORCEMENT"; PROVIDING A**
203 **PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY**
204 **PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL**
205 **ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT**
206 **HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN**
207 **EFFECTIVE DATE.**

208
209 **4.3. Resolution 2016-13 Public Safety Vehicle and Equipment Replacement Policy**

210 Approve proposed Resolution 2016-13, "Adoption of the Public Safety Vehicle and
211 Equipment Replacement Policy for the City of Seabrook." (Lab)

212
213 **A RESOLUTION ADOPTING THE PUBLIC SAFETY VEHICLE AND EQUIPMENT**
214 **REPLACEMENT POLICY**

215
216 **4.4. CLEMC Monthly Report**

217 Approve the Clear Lake Emergency Medical Corps (CLEMC) monthly report for July
218 2016. (Hunter)

219
220 **4.5. Fire Department Monthly Report**

221 Approve the Seabrook Volunteer Fire Department (SVFD) monthly report for July 2016.
222 (Gutaker)

223

4.6. Police Department Monthly Report

Approve the Seabrook Police Department monthly report for July 2016. (Wright)

4.7. Building Department Monthly Report

Approve the Seabrook Building Department monthly report for July 2016. (Landis)

4.8. Special Event Permit Running Alliance Sport

Approve a special event permit, temporary signs permit, and waiver of permit fees for the Running Alliance Sport 9th Annual Toughest 10K on Sunday, September 18, 2016. All supporting documentation, including a request for a waiver of the fees, has been submitted. (Hicks)

4.9. Excused Absence

Approve an excused absence for Glenn Royal and O.J. Miller for the August 2, 2016 regular City Council meeting. (Hicks)

Motion was made by Councilmember Botkin and seconded by Councilmember Adovasio

To approve the Consent Agenda as presented.

MOTION CARRIED BY UNANIMOUS CONSENT

The Mayor changed the order of the agenda to go to Executive Session after Consent Agenda.

6. EXECUTIVE SESSION

The City Council will now hold a closed executive meeting pursuant to the provisions of the open meetings Act, Charter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in one or more of the following sections: Section 551.071, Consultation with Attorney; Section 551.072, Real Property; Section 551.073, Deliberation Regarding a Prospective Gift; Section 551.074, Personnel Matters; Section 551.076, Security Devices; and Section 551.087, Economic Development.

At 7:54 p.m. Mayor Royal announced that the City Council will now hold a closed executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.071, Consultation with Attorney.

6.1. Executive Session 551.071

Consult with an Attorney to receive legal advice on legal issues concerning municipal boundaries. (Cook)

6.2. Executive Session. 551.071

Consult with an Attorney to receive legal advice on legal issues associated with a Water Supply Contract with the City of Pasadena. (Cook)

269 **7. OPEN MEETING**

270 *Council will reconvene in open session to allow for possible action on any of the agenda items*
271 *listed above under "Executive Session."*

272
273 At 8:40 p.m. Mayor Royal reconvened the meeting in open session and stated that items 6.1 and
274 62 had been discussed, but that no action had been taken in executive session.

275
276 **5. NEW BUSINESS**

277 *Council will discuss, consider and if appropriate, take action on the items listed below.*
278

279 **5.1. Ordinance 2016-18 Rezone 4.69 Acres**

280 Consider and take all appropriate action on first reading of proposed Ordinance 2016-18,
281 "Amendment to the Official Zoning Map to Rezone approximately 4.69 acres east of
282 Bayport Boulevard and west of Old Highway 146 from C-2 (Medium Commercial) to LI
283 (Light Industrial). (Landis)

284
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289 RESERVE A, BLOCK 1, BAYPORT LOGISTICS CENTER PHASE 2, ABSTRACT 52
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292 COMMERCIAL DISTRICT TO LI, LIGHT INDUSTRIAL DISTRICT; REQUIRING
293 THAT THE ZONING MAP BE AMENDED TO REFLECT THIS AMENDMENT;
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296 VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE;
297 REPEALING ALL ORDINANCES INCONSISTENT OR IN CONFLICT HERewith,
298 AND PROVIDING FOR SEVERABILITY.

299
300 Motion was made by Councilmember Miller and seconded by Councilmember Adovasio

301
302 To deny on first reading the proposed Ordinance 2016-18, "Amendment to the Official Zoning
303 Map to Rezone approximately 4.69 acres east of Bayport Boulevard and west of Old Highway
304 146 from C-2 (Medium Commercial) to LI (Light Industrial).
305

306 Mayor Royal stated that his responsibility is to the taxpayers, and the current C-2 zoning can
307 generate revenue to the City. Making this change to go towards a parking lot has no benefit to
308 the residents of the City. Had there been designs to build a warehouse, this zoning change would
309 have been considered.

310
311 MOTION CARRIED BY UNANIMOUS CONSENT
312
313

5.2. Ordinance 2016-19 Rezone 2.500 Acres

Consider and take all appropriate action on first reading of proposed Ordinance 2016-19, "Amendment to the Official Zoning Map to Rezone approximately 2.500 acres east of Bayport Boulevard and west of Old Highway 146 from C-2 (Medium Commercial) to LI (Light Industrial). (Landis)

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Motion was made by Councilmember Miller and seconded by Councilmember Botkin

To deny on first reading of proposed Ordinance 2016-19, "Amendment to the Official Zoning Map to Rezone approximately 2.500 acres east of Bayport Boulevard and west of Old Highway 146 from C-2 (Medium Commercial) to LI (Light Industrial).

MOTION CARRIED BY UNANIMOUS CONSENT

5.3. Resolution 2016-14 Intent to Issue Certificates of Obligation

Consider and take all appropriate action on proposed Resolution 2016-14, "Authorizing the Publication of Notice of Intention to Issue Certificates of Obligation in the Aggregate Principal Amount Not to Exceed \$7,100,000 for the acquisition, construction, and improvement of certain Public Works, and authorizing certain other matters relating thereto." (Cook / Robuck)

Motion was made by Councilmember Miller and seconded by Councilmember Botkin

To approve proposed Resolution 2016-14, "Authorizing the Publication of Notice of Intention to Issue Certificates of Obligation in the Aggregate Principal Amount Not to Exceed \$7,100,000 for the acquisition, construction, and improvement of certain Public Works, and authorizing certain other matters relating thereto."

John Robuck, Bond Attorney, stated that this is a continuation of the discussion from the last Council meeting he and the other Bond Attorney, Marcus Dietz, attended. The bond market has improved and it's a great environment to sell bonds. Hopefully we will get a good rate. If this resolution is approved, the notice will be published in the paper for two (2) consecutive weeks, on August 25 and September 1. The bonds can be sold on October 4 and we will close on November 3. The resolution states \$7.1 million as the not to exceed amount, so that we can sell up to that amount if we have to sell more bonds to generate the proceeds we need. The actual amount is \$6,950,000.

MOTION CARRIED BY UNANIMOUS CONSENT

8. ROUTINE BUSINESS

Council will discuss, consider and if appropriate, take action on the items listed below.

8.1. Reports

Reports and announcements concerning items of community interest. No discussion or action will be taken by Council.

Council Liaisons:

a. Bay Area Houston Convention & Visitors Bureau – no report at this time. The Bureau is in transition. A sample contract and comments are circulating and a draft of a new agreement will be brought to Council at some point. The Visitors Center is closed.

b. Bay Area Houston Economic Partnership – The celebration of the 40th anniversary is in the works.

c. Bay Area Transportation Partnership – The Mayor will be chairing a meeting on September 6 to bring all the different players together to discuss this region's trucking issue. Some cities are opposed to heavy haul, which is a concern because the Port of Houston is on the wrong side of the channel and their operations continue to expand and increase.

d. Clear Lake Emergency Medical Corps – CLEMC is looking into the purchase of vehicles that can be used for non-emergency transports, which will generate income and hopefully keep Seabrook's costs the same. CLEMC has a guaranteed contract now and is working on two additional contracts.

e. Economic Alliance, Port Region – no report

f. Galveston Bay Foundation – no report

g. Hotel Tax Liaison Committee – no report

h. Houston-Galveston Area Council - no report

8.2. Approve the Action Items Checklist which is attached and made a part of this Agenda.

TXDOT – Gayle Cook, City Manager, stated that there are no new updates at this time. Economic Development continues to get call and continues to meet with property owners to inform them how the City can help with relocation. TXDOT is hosting a relocation workshop on August 17.

Projects – Ms. Cook stated the Public Works Complex should be vertical soon, as all the ground work has been completed, with no issues.

Benches and Pelican purchase – Ms. Cook explained Rotary will be giving the City \$5000 for park benches, and seven have been ordered at \$477 each. Four of the new benches have been purchased by Council members. There will be an item on the next Council agenda regarding Pelicans.

Motion was made by Councilmember Botkin and seconded by Councilmember Miller

To approve the Action Items Checklist.

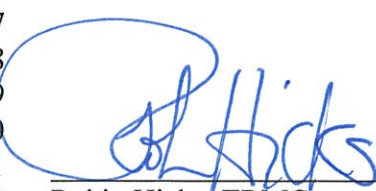
MOTION CARRIED BY UNANIMOUS CONSENT

8.3. Establish future meeting dates and agenda items

The Council is on its regular schedule, and there will be joint meeting with EDC on August 30 at 7pm to discuss the City's Branding and Landscape Master Plan.

Upon motion duly made and seconded, Mayor Royal adjourned the meeting at 9:00 p.m.

Approved this 6th day of September 2016.


Robin Hicks, TRMC
City Secretary




Glenn Royal
Mayor